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4 **UNITED STATES DISTRICT COURT**

5 **DISTRICT OF NEVADA**

6 ANGEL DIAZ,

Case No. 2:24-cv-00847-RFB-MDC

7 Petitioner,

ORDER

8 v.

9 C. CHESTNUT, et al.,

10 Respondents.

11 On May 3, 2024, Petitioner Angel Diaz commenced this action by filing a Petition for Writ
12 of Habeas Corpus. ECF No. 1-1. On May 14, 2024, this Court ordered Diaz to file an application
13 for leave to proceed *in forma pauperis* or pay the \$5.00 filing fee. ECF No. 3. This Court gave
14 Diaz 45 days to comply and warned Diaz that failure to timely comply would result in the dismissal
15 of this action without prejudice and without further advance notice. *Id.* Diaz's 45-day deadline
16 expired on June 28, 2024. To date, Diaz has not filed an *in forma pauperis* application, paid the
17 \$5 filing fee, requested an extension of time, or taken any other action to prosecute this case.

18 **IT IS THEREFORE ORDERED** that Petitioner Angel Diaz's Petition for Writ of Habeas
19 Corpus (ECF No. 1-1) is DISMISSED WITHOUT PREJUDICE based on his failure to comply
20 with this Court's May 14, 2024, Order (ECF No. 3). Diaz is denied a certificate of appealability,
21 as jurists of reason would not find dismissal of the petition for the reasons stated herein to be
22 debatable or wrong.

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1 **IT IS FURTHER ORDERED** that the Clerk of Court (1) file the petition (ECF No. 1-1),
2 (2) add Nevada Attorney General Aaron D. Ford as counsel for Respondents,¹ (3) informally serve
3 the Nevada Attorney General with the petition (ECF No. 1-1), this order, and all other filings in
4 this matter by sending a notice of electronic filing to the Nevada Attorney General's office, (4)
5 enter final judgment, and (5) close this case.

6 **IT IS FURTHER ORDERED** that Diaz has leave from the Court to file a motion for
7 reconsideration to reopen this case based upon the assertion of legitimate or equitable reasons for
8 failing to comply with the Court's order.

9 DATED: July 11, 2024.

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT COURT

¹No response is required from Respondents other than to respond to any orders of a reviewing court.